

Before the Public Service Commission of South Carolina
Columbia, South Carolina

Hearing # 21-11920 April 21, 2021 9:00 a.m.

Docket Number 2020-264-E

Duke Energy Carolinas - Establishment of Solar
Choice Metering Tariffs Pursuant to S.C. Code Ann.
Section 58-40-20 (See Docket No. 2019-170-E)

Docket Number 2020-265-E

Duke Energy Progress - Establishment of Solar Choice
Metering Tariffs Pursuant to S.C. Code Ann. Section
58-40-20 (See Docket No. 2019-169-E)

TRANSCRIPT OF TESTIMONY
AND PROCEEDINGS

VOLUME 3(B) of 3

(VIA VIDEOCONFERENCE)

HEARING BEFORE: Chairman Justin T. Williams; Vice Chair
Florence P. Belser; Commissioner Carolyn L.
"Carolee" Williams; Commissioner Thomas J. "Tom"
Ervin; Commissioner Stephen M. "Mike" Caston;
Commissioner Headen B. Thomas; and Commissioner
Delton W. Powers, Jr.

ADVISOR TO COMMISSION: Jo Anne Wessinger Hill, Esq.
General Counsel

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Staff; Patricia Stephens, Clerk's Staff

COURT REPORTER: Cindy H. Patterson

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Upstate Forever

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Jenny R. Pittman, Esq.; Andrew M. Bateman, Esq., Office
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(**If prefiled testimony inserts are present, text within the prefiled insert is not included in the word index due to compatibility limitations. However, it can be searched via ctrl/command + F.)

(***An indication of (EI) represents electronic interference in the videoconference.)

(Cindy H. Patterson administered the oath to John Wiebel and Robert Bockman, Jr., administered the oath to all other witnesses during this proceeding.)

1 PROCEEDINGS

2 CHAIRMAN J. WILLIAMS: Good morning, ladies
3 and gentlemen. Welcome to the Public Service
4 Commission of South Carolina. We're here
5 today in Dockets Number 2020-264-E and 2020-
6 265-E, Duke Energy Carolinas, LLC, Duke Energy
7 Progress, LLC, Solar Choice Metering Tariff.
8 Today is our virtual public hearing.

9 Before we get started, please join me in
10 a brief moment of silence.

11 Thank you very much. We're going to take
12 roll. In the hearing room, we have
13 Commissioners Caston, Powers, Vice Chair
14 Belser, and Chairman Williams. Joining us
15 virtually we have Commissioners Williams,
16 Ervin, and Thomas.

17 Before we call our first witness, let's
18 take appearances from the parties. Are the --
19 are the companies' counsel available --
20 present?

21 MR. COOPER: Good morning, Mr. Chairman. This
22 is Ashley Cooper. I'm outside counsel for the
23 Duke Energy companies, and I wanted to relay
24 to you that Heather Shirley Smith, who's
25 usually here on behalf of Duke as well -- she

1 is unavoidably on a brief medical leave, but
2 she said to please let you all know that she
3 regrets she can't be with you today. But I'm
4 going to do my best to -- to fill in for
5 Heather today.

6 CHAIRMAN J. WILLIAMS: Well, thank you for
7 letting us know. We're definitely thinking
8 positive thoughts. Are you by yourself, Mr.
9 Cooper?

10 MR. COOPER: Yes, Mr. Chairman. My -- I do
11 have my associate, Will Middleton, who will be
12 in the room from time to time with me as well.

13 CHAIRMAN J. WILLIAMS: Okay. Thank you very
14 much, sir. Southern Alliance for Clean
15 Energy, South Carolina Coastal Conservation
16 League, and Upstate Forever.

17 MS. MIXSON: Good morning, Mr. Chairman,
18 Commissioners. This is Kate Mixson
19 representing South Carolina Coastal
20 Conservation League, Southern Alliance for
21 Clean Energy, and Upstate Forever.

22 CHAIRMAN J. WILLIAMS: Good morning. Good to
23 see you again, Attorney Mixson. North
24 Carolina Sustainable Energy Association.

25 MR. KUYKENDALL: Good morning, Mr. Chairman,

1 Commissioners. Jeff Kuykendall for North
2 Carolina Sustainable Energy Association. I
3 have Peter Ledford with me as well.

4 CHAIRMAN J. WILLIAMS: Okay. Good to see you
5 again, sir. Hope all is well.

6 MR. KUYKENDALL: Thank you.

7 CHAIRMAN J. WILLIAMS: And you're also
8 representing Solar Energy Industries
9 Association.

10 MR. KUYKENDALL: That's correct.

11 CHAIRMAN J. WILLIAMS: That's right. Okay.
12 Vote Solar. Vote Solar. Nucor Steel. Nucor
13 Steel. Alder Energy Systems, LLC.

14 MR. MANGUM: Morning. This is -- can y'all
15 see me?

16 CHAIRMAN J. WILLIAMS: No, sir.

17 MR. MANGUM: Let's see what's going on here.

18 CHAIRMAN J. WILLIAMS: All right. We see you
19 now.

20 MR. MANGUM: I see y'all now. Okay. Great.
21 Morning. This is Robert Mangum. I'm here
22 with Alder Energy Systems. I'm in place of
23 Taylor Speer today.

24 CHAIRMAN J. WILLIAMS: All right. Thank you
25 for joining us, sir. Office of Regulatory

1 Staff.

2 MS. PITTMAN: Good morning. Jenny Pittman on
3 behalf of the Office of Regulatory Staff. I
4 also have Andrew Bateman here with me.

5 CHAIRMAN J. WILLIAMS: Good morning, Attorney
6 Pittman and Attorney Bateman. All right.
7 Before we call the first witness, is there
8 anything we need to take up?

9 All right. So just to set some ground
10 rules, as is our tradition, each witness has
11 three minutes to testify. We have a very
12 short list today, so I want everyone to stick
13 to that three-minute limit, but we also want
14 to give you an opportunity to finish your
15 thoughts. We have nine witnesses, and -- and
16 that's pretty much it. It's pretty
17 straightforward from there.

18 So I'm going to turn it over to the
19 staff. If you would please call the first
20 witness.

21 MR. BOCKMAN: Mr. Chairman, the first witness
22 this morning is John Wiebel. Mr. Wiebel, if
23 you will please pause to be sworn in. I
24 believe the witness is in person. One moment.

25 Good morning, sir. If you would please

1 pause to be sworn in. And upon being sworn
2 in, please provide the Commission with your
3 name, your status as a Duke customer, your
4 place of residence, your town that is, not
5 your full address, and -- at which point, you
6 will have three minutes to speak before the
7 Commission.

8 (Witness affirmed)

9 THEREUPON came,
10 JOHN WIEBEL,
11 who, having been first duly affirmed, testified as
12 follows:

13 WITNESS WIEBEL: My name is John Wiebel, W-i-
14 e-b-e-l. I live at 4026 West Georgia Road in
15 southern Greenville County. Been at -- been
16 sheltered in place since January 2020 when I
17 had some surgery done. So that being the case
18 then, I was able to look at these -- in case
19 you want it, this is my inoculation card. I
20 want everybody to know that.

21 I -- before I start, I want to thank the
22 Commission for letting me come down here in
23 person. That is -- that's a step toward big
24 democracy in South Carolina. So, I mean, the
25 people, as little as they know, knowing this

1 and allowing me to come forward in person,
2 speaks high duty from y'all. You deserve an
3 attaboy for that, and I really do appreciate
4 it.

5 That -- that being said, as I began to
6 look at this Act 62 and these two docket
7 questions, 264 and 265 -- I am not a
8 shareholder of Duke Power. And I also am not
9 a member of the green interest. And my full
10 understanding is that this is a settlement
11 between the shareholders and the alternative
12 energy or the green people. There's nothing
13 in here -- I'm between these two interests
14 along with everybody like me, disabled
15 veterans, Social Security, all of us. That
16 being said, first of all, this came over two
17 months. It took this to read it (indicates
18 magnifying glass). It takes this to read this
19 (indicates magnifying glass). Okay. This
20 question for Duke Energy is mainly for the
21 Upstate of South Carolina, Spartanburg,
22 Greenville, and Anderson. So I would ask the
23 Commission -- I know that this is hearing day,
24 and I -- I fully understand the rules of
25 judicial ethics and everything, but -- and I

1 apologize for having my hat on -- but nobody
2 in the Upstate knows anything about this. So
3 what I would propose is, after these hearings
4 today, you take your time, come up to the
5 Upstate, hearing in Spartanburg, one in
6 Greenville, one in Anderson. There's -- this
7 is not a fire drill. This is the future of
8 green energy and Duke Power butting heads, so
9 me not being either interest, I'm the
10 homeowner. I'm the one they want to get the
11 money from. We're the ones that's paying the
12 money, but the interest has decided the
13 question after the legislature bestowed this
14 upon us. I could only imagine what went over
15 -- went on at the statehouse getting this
16 done. But this right here, this is not a
17 notice to most people in the Upstate. You can
18 barely read it.

19 So here's the deal: Whenever I see Duke
20 Power shareholder commercials on TV, I know
21 they wanting something. And they been on
22 there right regular showing all their solar
23 panels and things that they're doing, and then
24 you're getting increased sales commercials for
25 the solar part. There's no meeting in the

1 middle. It's going to be bestowed upon us,
2 the people. But I would ask you, like I said,
3 to -- after today, if it's within the rules,
4 you need to have at least one hearing in the
5 Upstate because nobody knows anything about
6 this. For months I've been asking people,
7 "Have you seen your power bill? Have you seen
8 that notice in your power bill?"

9 "I don't know what you're talking about."

10 In the middle of a pandemic you know
11 people ain't thinking about this. That's why
12 it's up here now. That's why it's in -- this
13 is why. I don't see Greenville's eyes here in
14 the audience.

15 Now, the billing fee which has already
16 been passed -- it's been implemented on a
17 paper trail action, that billing fee, the --
18 the -- for billing and energy programs in our
19 behalf, correct?

20 All right. Now, this is a water bubbler
21 kit for your kitchen, right? Give you the
22 bubbler for the sinks, a jacket for your hot
23 water heater, and guess what? It says it's
24 free. Energy-saving kit says it's free.
25 Also, one came for a thermostat -- digital

1 thermostat, for free, and a box of light bulbs
2 for free. It is not free. It's 11.95 a
3 month. It was a billing fee in the EE program
4 that they're supposed to be instigating for us
5 to save power.

6 Duke Power has -- has no lack of
7 capacity. Southern Greenville County, they
8 running lines, and as we stand here, you
9 wouldn't believe it. So Duke Power's in
10 pretty good shape, but they're trying to take
11 the solar industry over; that's just all there
12 is to it. They feel like they ought to be
13 paid for it. It's just going to be a pure
14 cash cow for them.

15 There's only one line in these notices
16 that says something about the homeowner, and
17 it said that if they see a need and they can
18 do it, to purchase power from the people, then
19 they'll come before you. That's the only
20 thing they say about the consumer, the
21 homeowner, and everybody else.

22 So I'm going to leave you with this right
23 here: Billing fee, it's a bait and switch.
24 They offer you a free something, and then they
25 charge you for it. That's a bait and switch;

1 it's plain as day. We all know what that
2 means.

3 So I would also say this: I don't know
4 how the Commission is going to figure out all
5 these rate schedules. It seems to me like
6 you're going to need some help. Okay.
7 Interests has got theirs covered for y'all.
8 I'm wondering if you've ever considered an
9 independent bunch to help y'all as you start
10 to see what they put before you over this
11 tariff. Hear what I'm saying? A neutral body
12 to look at all agreements in y'all's behalf to
13 help y'all. You're not engineers. You're not
14 industrial electricians. The jargon, "kW" and
15 all they're using --

16 CHAIRMAN J. WILLIAMS: Sir.

17 WITNESS WIEBEL: -- you know, it's foreign
18 stuff to a lot of people. And I will -- I
19 mean, I understand that.

20 So -- and I'd just like to just leave you
21 with this right here: In the solar tariff --
22 first, let me say real quickly, the tariff is
23 a tax. This is a tax to equalize the loss of
24 power by Duke Power. For the independent
25 homeowner generating his own electricity, they

1 want to be paid for that. Okay. Hiding that
2 money in the billing fee is -- people won't
3 even see it. All of a sudden, they'll see the
4 billing fee. They started warning about the
5 billing fee on the bill over here last month,
6 right in line with everything else that's been
7 hidden. So hidden fee in the billing fee, EE
8 programs for us, unh-unh.

9 And now they want this. And only thing I
10 can tell you is this: If you don't do
11 anything else, whatever they propose, cut it
12 in half. Cut it in half. Whatever they want,
13 they throw it down in front of you, half off.
14 Or I see a date of May the 31st of this year,
15 about people making up their mind. Other than
16 that, it's going to be grandfathered. So a
17 lot of people -- I mean, we're just talking
18 about the end of May. So if you did the
19 hearings in Greenville, you'd give more time.
20 There's not really -- I don't see there's
21 emergency action called for by Act 62. It's
22 an act for y'all to get right. Y'all the
23 implementers between us and the General
24 Assembly. This --
25 COMMISSIONER ERVIN: Mr. --

1 WITNESS WIEBEL: -- would be handled at the
2 ballot box.

3 COMMISSIONER ERVIN: Mr. Chairman, may I ask
4 him a question?

5 WITNESS WIEBEL: I appreciate that very much.
6 Mr. Chairman, Members of the Commission, makes
7 for an early morning when you're coming from
8 Greenville.

9 CHAIRMAN J. WILLIAMS: And -- and thank you
10 for coming from Greenville, but before you go,
11 we have some questions for you.

12 WITNESS WIEBEL: Go ahead.

13 CHAIRMAN J. WILLIAMS: And I -- I heard you,
14 Commissioner Ervin. I just want to get a few
15 things clear for the record.

16 EXAMINATION

17 BY CHAIRMAN J. WILLIAMS:

18 Q So, sir, you referenced three items. You had a
19 piece of paper in your hand that you said you
20 needed a microscope -- or magnifying glass to -- to
21 read. What is that? What is that paper?

22 A Where is it or what is it?

23 Q What is it? What is that?

24 A It was the notice -- the first -- the first ones
25 came around November, about 264, 265.

1 Q Okay.

2 A And the other one just came last month, about Act
3 62 and the -- and the solar tariff.

4 Q Okay. Can you -- would you mind pulling it out of
5 your pocket and --

6 A No.

7 Q -- and unfolding it for us?

8 A But what I'm trying to say is: Older people -- I
9 -- I just turned 65. But there's a lot of people
10 older than I am, and there's no way they could read
11 it. And, really, it would be hard to understand
12 it. The only reason I'm here is because I
13 understand the commission system in South Carolina.

14 Q All right. So those are the two notices that you
15 received. Would you hold them up? You're --
16 you're -- you're live, so people are watching us.
17 Could you hold -- could you just hold them straight
18 up so we can see those?

19 A (Complies.)

20 Q Okay. Those are the notices. All right. The
21 notice for the solar choice tariff hearing, and --
22 and I guess the public hearing notice is in there
23 as well. Now, you had another document, like a
24 pamphlet or something?

25 A No. I -- I had my shot record, and I had that

1 advertisement.

2 Q That blue form? What is it? Could you hold that
3 up? What is that -- that blue --

4 A Absolutely. That is a warning in the mail -- not a
5 warning; it's -- it's -- this is Duke Power's water
6 and energy saving kit.

7 Q Okay. And so that came from Duke Power?

8 A Yes. This came directly from them.

9 Q And you said it says that something is free?

10 A Right here on the front, Commissioner: "Free."

11 Q Okay. All right. And what's that box, the last
12 thing you had there?

13 A This -- that -- this box is a box of light bulbs
14 that they also offered for free.

15 Q Okay.

16 A They want us to save energy, but they can do
17 whatever they want. They're the only -- only
18 entity I've ever seen that cannot absorb the cost
19 of doing business. Every time -- I mean, that's
20 just all there is to it.

21 Q Uh-huh. Uh-huh.

22 A I want to leave you with one other thing, and that
23 is you need to consider wholeheartedly about coming
24 to the Upstate. I know today's hearing day for
25 here, and I would hope y'all would take a good,

1 hard look at that because this is so monumental.

2 This is a monumental thing. I don't envy y'all at
3 all.

4 Q There are not many that do, sir.

5 A And I know it's -- you know, keep the people in
6 mind.

7 Q Yes, sir. So --

8 A Because I'm speaking for the people who's unable to
9 come here and that do not know about any of this.

10 CHAIRMAN J. WILLIAMS: Yes, sir. So we --
11 there are probably going to be some questions
12 for you, so if you get comfortable. Do you
13 mind taking some questions?

14 WITNESS WIEBEL: Oh, yeah.

15 CHAIRMAN J. WILLIAMS: Okay.

16 WITNESS WIEBEL: Come on.

17 CHAIRMAN J. WILLIAMS: Okay. Southern
18 Alliance for Clean Energy, South Carolina
19 Coastal Conservation League, and Upstate
20 Forever?

21 MS. MIXSON: No questions. Thank you, Mr.
22 Chairman.

23 CHAIRMAN J. WILLIAMS: North Carolina
24 Sustainable Energy Association?

25 MR. KUYKENDALL: We have no questions, Mr.

1 Chairman.

2 CHAIRMAN J. WILLIAMS: Solar Energy Industries
3 Association?

4 MR. KUYKENDALL: Similarly, no questions, Mr.
5 Chairman.

6 CHAIRMAN J. WILLIAMS: Alder Energy Systems,
7 LLC?

8 MR. MANGUM: No questions, Mr. Chairman.

9 CHAIRMAN J. WILLIAMS: The Applicant?

10 MR. COOPER: Thank you, Mr. Chairman. I'll be
11 very brief.

12 CROSS-EXAMINATION

13 BY MR. COOPER:

14 Q Mr. Wiebel, my name is Ashley Cooper. I'm attorney
15 on behalf of the Duke Energy companies, and first
16 of all, I want to thank you for your participation.
17 I want to thank you for making the trip from
18 Greenville this morning. I know that was an early
19 -- early day for you. There's a lot of
20 construction, and so be careful driving back home
21 as well. But your participation is greatly
22 appreciated, and that's what makes this a better
23 process.

24 Just briefly, Mr. Wiebel, I just want to --
25 you made a comment about an increase in revenues.

1 And I just wanted to make sure, because this is a
2 very complicated topic -- I wanted to make sure
3 that -- that you understood that the proposal
4 before the Public Service Commission today is about
5 aligning costs between customers who have solar
6 panels on their roofs and those customers who do
7 not have solar panels on their roof. And so this
8 is really about just aligning costs so that
9 customers who do not have solar panels on their
10 rooftop don't subsidize or support those customers
11 who do. This is not about an increase in revenue
12 for the Duke companies, and this proposal before
13 the Commission is about eliminating, to the
14 greatest extent practicable, a subsidization paid
15 by customers who do not have solar panels to those
16 -- to help support those customers who do have
17 solar panels. And -- and that's really what this
18 is about today.

19 A Well, with all due respect -- and these notices
20 says nothing about that. This notice right --
21 these notices are about money. Now, behind this,
22 y'all have already said you're coming for more
23 money on the demand side again and said you're
24 going to bring down the homeowners part of it and
25 shift it over to non-homeowners. I looked at the

1 revenue for both sides of that, and I'm here to
2 tell you that's meaningless. You ain't done
3 nothing, still going to get more money from us, the
4 customer, as well as business, but that don't hold
5 no water. Your company needs to learn some
6 corporate responsibility and how to be a good
7 neighbor and to do good, honest business. You
8 don't call something free and then lay it on the
9 backs of the consumer. That's what this is about.
10 Come to Greenville. Move right now to them and
11 come to Greenville.

12 Q Well, thank you, Mr. Wiebel. We -- we -- again, I
13 appreciate your participation, appreciate your --
14 your comments, and certainly appreciate your time
15 and your effort to drive early this morning and
16 come before the Commission.

17 MR. COOPER: Mr. Chairman, we have no further
18 questions for this witness.

19 CHAIRMAN J. WILLIAMS: Office of Regulatory
20 Staff?

21 MS. PITTMAN: Real brief, Mr. Chairman.

22 CROSS-EXAMINATION

23 BY MS. PITTMAN:

24 Q Good morning, Mr. Wiebel.

25 A Morning, ma'am.

1 Q Do you have rooftop solar panels?

2 A No, ma'am. But --

3 Q Do you --

4 A -- I'm considering putting a roof over on my house
5 and putting them on my house. But I'm here to tell
6 you and anybody else: It ain't going to happen.

7 Duke Power's business is to sell power, and that's
8 just what they're doing. They ain't got a lack of
9 capacity or anything else. They's money-grabbing.

10 Q Okay. And do you think it's appropriate for your
11 bill to include a fee for other people to have
12 rooftop solar?

13 A It's -- the road to a place we don't want to go is
14 paved with good intentions. There's consumers out
15 there putting this on their house thinking they're
16 doing the environment good and saving money on
17 electricity. When Duke Power comes along, they
18 want to be paid for that because they're in the
19 market of selling electricity. That's just what
20 they do. So, like I said, when the fee schedules
21 come out, just go ahead and cut them all in half,
22 and I think you'll take care of everybody that this
23 affects. Because it's all about money -- control
24 and money. That's my recommendation. You know
25 they're going to --

1 Q Okay.

2 A -- pad it.

3 Q Thank you.

4 A They're going to ask for the moon, but --

5 Q Thank you, Mr. Wiebel.

6 A They're going to ask for the moon, but that doesn't
7 mean they get it.

8 Q Thank you, sir.

9 MS. PITTMAN: I have no further questions, Mr.
10 Chairman.

11 CHAIRMAN J. WILLIAMS: Commissioner Ervin.

12 COMMISSIONER ERVIN: Thank you, Mr. Chairman.

13 EXAMINATION

14 BY COMMISSIONER ERVIN:

15 Q Mr. Wiebel, I represent Greenville and Spartanburg
16 Counties on the Commission. May I call you
17 "Fritz"?

18 A You may.

19 Q Thank you, sir. Fritz, I -- I think I've known you
20 in the past, around and about Greenville, and I
21 want to thank you, too, for coming down to the
22 Commission today to -- to testify. You've made
23 some important points, and you're right about
24 several things. Act 62 is a complex piece of
25 legislation, and we're all struggling to try to

1 implement it and be fair to all concerned. We're
2 doing the very best we can, and so I appreciate you
3 taking the time to come out and -- and be heard.

4 You're right on another point: A lot of the
5 ratepayers don't even know this is going on. I
6 think there have been a lot of distractions during
7 the COVID-19 pandemic, and people are worried about
8 paying their rent and paying their electricity bill
9 and buying groceries for the family and putting
10 gasoline in the car, so they're distracted.

11 We're going to try our very best to get it
12 right. It's not an easy set of issues, but, you
13 know, we've held public hearings in Greenville in
14 the past and Spartanburg and Anderson when rate
15 increases came up, and y'all packed the house up in
16 Greenville, and we were there till after midnight.
17 So we -- we do care about the ratepayer that's kind
18 of trapped in the middle --

19 A I know you do.

20 Q -- of all this.

21 A I know you do.

22 Q And so I am going to -- I promise you I'm going to
23 represent your interests, as well, as we go through
24 all this, to --

25 A That'd be --

1 Q -- try to be fair and just and reasonable.

2 A Well, fantastic. I hope you're well today, Judge.

3 Q Yes, sir. It's good to see you, and have a safe
4 trip back home today.

5 A Well, good, and --

6 COMMISSIONER ERVIN: Thank you, Mr. Chairman.

7 A And I trust you on that.

8 Q Thank you.

9 A But, like I said, I'm kind of in the position where
10 I'm representing a lot of people.

11 Q You are. You're speaking for a lot of people, and
12 we appreciate it. Thank you, sir.

13 A I thank you so much, and you take care of yourself
14 and protect yourself at all cost.

15 CHAIRMAN J. WILLIAMS: Commissioner questions?
16 Any more commissioner questions for this
17 witness?

18 All right, sir. It seems that no one
19 else has --

20 WITNESS WIEBEL: I wanted to say one other
21 thing. I hope the Judge is listening. I
22 commend y'all on opening this up to allow me
23 to be here in person because hearings is made
24 to hear it; I understand that. But when you
25 come in person, it's -- it's just a whole

1 different ballgame, allowing me to have my
2 exhibit for you, and the way this is kind of
3 laying and where the -- where the homeowner
4 comes in.

5 So I'm not so sure I buy that about
6 equitable -- from -- out to 2025 and then all
7 the way out to 2029, this is Duke Power's
8 highway. So I don't need to hear anything
9 from them about listening to costs of those
10 that don't have it versus those that do. That
11 -- that is just like smoke.

12 But, like I said, there's a lot of people
13 that don't know about this. I hope, God in
14 heaven, you guys get this under control. I
15 don't envy you; I really don't. And I thank
16 you for letting me be here today, and I'll say
17 God bless South Carolina and our troops. And
18 if we're done, thank you, sir.

19 CHAIRMAN J. WILLIAMS: Yes, sir. Thank you,
20 for traveling to Columbia today. Please be
21 safe --

22 WITNESS WEIBEL: Yes, sir. Thank you very
23 much.

24 CHAIRMAN J. WILLIAMS: -- on your trip home.

25 WITNESS WIEBEL: I know that you -- that you

1 can discount everything I said; I know you can
2 accept it, and I trust that the good things
3 that y'all can use, that's what you'll do.
4 Something that might not hit you right, if I'm
5 wrong about something, it's understandable
6 because it's so complicated. But, like I
7 said, I don't envy you. Thank you very much.
8 CHAIRMAN J. WILLIAMS: Yes, sir. Thank you,
9 for your testimony.

10 (Witness excused)

11 MS. BOYD: Mr. Chairman.

12 CHAIRMAN J. WILLIAMS: Yes, ma'am.

13 MS. BOYD: I apologize for interrupting. We
14 have a Mr. Rundle who we contacted on the
15 phone first; however, Ms. Valerie Williams has
16 a court appearance very shortly. Is she still
17 on? And I wanted to ask, through your -- with
18 your permission, if we could please ask Mr.
19 Rundle if he would consider allowing her to go
20 first due to her court appearance here
21 shortly.

22 CHAIRMAN J. WILLIAMS: Yes, ma'am.

23 MS. BOYD: Mr. Rundle. Mr. Rundle.

24 WITNESS RUNDLE: Yes.

25 MS. BOYD: Are you -- would you consider,

1 please, allowing Ms. Valerie Williams -- she's
2 on the phone, but she has a court appearance.

3 WITNESS RUNDLE: Yes.

4 MS. BOYD: Would you allow her to please
5 testify first?

6 WITNESS RUNDLE: Of course. Of course.

7 MS. BOYD: Thank you so much.

8 MR. BOCKMAN: Ms. Williams, can you hear me?

9 MS. BOYD: Ms. Williams?

10 WITNESS WILLIAMS: Yes.

11 MS. BOYD: Okay. He's going to administer the
12 oath now, okay?

13 WITNESS WILLIAMS: All right. I can barely
14 hear him, though.

15 (Witness affirmed)

16 THEREUPON came,

17 VALERIE WILLIAMS,

18 who, having been first duly affirmed, testified, via
19 audioconference, as follows:

20 MR. BOCKMAN: Great. Will you please state
21 your name for the Commission?

22 WITNESS WILLIAMS: Valerie Williams.

23 MR. BOCKMAN: And, Ms. Williams, in which town
24 do you live?

25 WITNESS WILLIAMS: I'm sorry?

1 MR. BOCKMAN: In which town do you live in
2 South Carolina?

3 WITNESS WILLIAMS: Sumter.

4 MR. BOCKMAN: Okay. And are you a Duke Energy
5 customer?

6 WITNESS WILLIAMS: I am.

7 MR. BOCKMAN: And do you have solar panels on
8 your home?

9 WITNESS WILLIAMS: I do.

10 MR. BOCKMAN: Thank you, Ms. Williams. You
11 have three minutes for your testimony. You
12 may begin now.

13 WITNESS WILLIAMS: Well, there are a few
14 concerns I have. One -- one of the primary
15 ones is -- I just heard the attorney for Duke
16 address -- is the fact that Duke is trying to
17 create this even playing field for customers
18 not to supposedly have to foot the bill for
19 those with solar panels. They already know
20 from previous testimony that was given that
21 this is untrue. There were consultants for
22 customers in South Carolina who have already
23 testified to the fact, in separate cases, that
24 there is no such cost shift under South
25 Carolina's current rules. The idea that solar

1 hurts the poor has already been offered to
2 Duke, and the CEO of Duke Energy has already
3 received a letter from community leaders
4 stating that this was an improper use of that
5 idea, if you will.

6 The Duke -- the Duke role in this
7 campaign has been discredited by NAACP
8 leaders, for starters, and these ideas --
9 number two, I personally have had an issue
10 with having solar panels put on my house last
11 year, seeing a dramatic drop in our bill after
12 they installed a new meter back in, I want to
13 say, August or September of last year. And
14 then they had this very quiet, private meeting
15 in the fall of last year, with -- I believe it
16 was our own Public Service Commission, where
17 -- I don't understand the quiet behind this.
18 They announced the South Carolina settlement.
19 Okay. Why was this done so quietly? Why
20 wasn't the public noticed about this?

21 If you do a poll of my neighbors, some of
22 whom have solar panels and some of whom do
23 not, you will find that the ones with solar
24 panels that I was able to contact have had
25 meters put on even more recently. When I

1 complained to the Public Service Commission
2 about this, they agreed to find out whether or
3 not there was a need for this. I never heard
4 back from anybody, why they took the meter
5 they installed back last September and
6 replaced it with one again in January, after
7 which I saw my bills triple -- I don't -- I'm
8 not sure that you're aware -- or maybe you
9 are, because I'm at a disadvantage because I'm
10 using a phone and can't see this -- this
11 hearing going on.

12 They're -- they're proposing this minimum
13 fee for solar panels. We already pay a
14 minimum fee just to have Duke Power installed
15 in our homes. So even if with my solar panels
16 my bill goes down to zero because of the power
17 that I'm taking in, what is not accounted for
18 is -- by giving us this extra fee, is we're
19 actually being penalized for putting solar
20 panels on our homes.

21 And instead of Duke reorganizing and
22 getting power into their own system through
23 their own solar panels and through other means
24 of energy that have -- that have been used by
25 other companies around the United States, they

1 want to penalize people who are trying to use
2 a more energy efficient -- and reduce their
3 own bill by fining us even more and doing this
4 in a very sneaky, underhanded way by quietly
5 doing this. Very few people that I spoke to
6 had any idea that this hearing was taking
7 place. They had no knowledge of the hearing
8 back in the fall. They have no understanding
9 that this also will then cause an agreement
10 for South Carolina to advocate for the same
11 thing to happen in North Carolina if this
12 agreement is reached. And if you have any
13 doubts about any of this, I will be happy to
14 send this panel the documentation for
15 everything that I've stated.

16 CHAIRMAN J. WILLIAMS: All right. Thank you
17 for your testimony, ma'am. Your time has
18 expired. There may be some questions for you,
19 so if you would stay on the line to answer a
20 few questions. Before we go to questions for
21 you, I want to clarify a few things.

22 EXAMINATION

23 BY CHAIRMAN J. WILLIAMS:

24 Q I think I heard you say you called the Public
25 Service Commission to complain or to report an

1 issue with your solar panels or meter --

2 A I'm sorry, yeah. There's a noise that interfered
3 with what you just said. Say that again?

4 Q Okay. Can you hear me now?

5 A Yes. I can.

6 Q All right. Good. I think I heard you say you
7 called the Public Service Commission to report your
8 meter or report an issue and never heard back?

9 A Yes. Actually, what I said was: I called to ask
10 them about why -- I could not get a response from
11 Duke. I spent hours on the phone trying to get a
12 response from Duke, and they would say they'd call
13 back, and they didn't do it.

14 And so I went to the Public Service Commission
15 to file a complaint. I heard from one guy who
16 said, "We're going to ask them to show us why they
17 removed the meter they put on back in the fall, and
18 we'll ask, you know, if they'll send somebody out
19 to check the meter and show you it works."

20 They sent a man out. That man's equipment was
21 broken. The testing equipment was broken in his
22 truck. He had trouble getting the strap to stay
23 on. He explained it had been broken for a while,
24 and I have never heard back about the other meter.
25 That is correct.

1 Q Okay. Do you remember the guy's name you talked to
2 at the Public Service Commission?

3 A I'm sorry. I do not. It's at home on my desk.

4 Q Okay. You said you have some -- some documents
5 that you would like to submit?

6 A No. What I said was: If anyone has questions
7 about any of the documentations for anything that I
8 have stated, including the hearings, etc., I -- I
9 do have those, and I will be happy to share them.

10 Q Okay.

11 A And I also think that -- that the general media,
12 you know, your local TV stations and -- and
13 newspapers, etc., the -- the -- you know, whatever
14 blogger is interested in this, this should've been
15 blasted all over the state. This should not be
16 something that was kept so quiet from the public
17 because on my little, tiny poll of individuals that
18 I spoke with, which was probably about 20 people
19 that I knew had either looked into solar or had
20 solar, none of them had even heard about the one
21 last fall or this one taking place today.

22 Q Okay. All right, ma'am.

23 CHAIRMAN J. WILLIAMS: South Carolina Alliance
24 -- excuse me. Southern Alliance for Clean
25 Energy, South Carolina Coastal Conservation

1 League, and Upstate Forever, questions for
2 this witness?

3 MS. MIXSON: No questions. Thank you, Mr.
4 Chairman.

5 CHAIRMAN J. WILLIAMS: North Carolina
6 Sustainable Energy Association, questions for
7 this witness?

8 MR. KUYKENDALL: No questions, Mr. Chairman.

9 CHAIRMAN J. WILLIAMS: Solar Energy Industries
10 Association, questions for this witness?

11 MR. KUYKENDALL: No questions, Mr. Chairman.

12 CHAIRMAN J. WILLIAMS: Alder Energy Systems,
13 LLC, questions for this witness?

14 MR. MANGUM: No questions, Mr. Chairman.

15 CHAIRMAN J. WILLIAMS: Duke, questions for
16 this witness?

17 MR. COOPER: Thank you, Mr. Chairman.

18 CROSS-EXAMINATION

19 BY MR. COOPER:

20 Q Ms. Williams, as you may have heard me say earlier,
21 my name is Ashley Cooper. I'm here on behalf of
22 the Duke companies. And -- and just briefly, I
23 just wanted to ask: Are you aware that the Duke
24 companies work with a broad group of --

25 CHAIRMAN J. WILLIAMS: Attorney -- Attorney

1 Cooper, hold on one second. Ms. Witness? Ms.
2 Witness? Ms. -- is it Williams? Ms.
3 Williams?

4 WITNESS WILLIAMS: I -- I can hear somebody,
5 but it sounds a little like Charlie Brown's
6 teacher from my vantage point.

7 CHAIRMAN J. WILLIAMS: Okay. Ms. Williams,
8 can you hear me now?

9 WITNESS WILLIAMS: I can hear you, yes.

10 CHAIRMAN J. WILLIAMS: All right. So an
11 attorney from one of the parties attempted to
12 ask you a question, so I'm going to allow him
13 to ask that question again, and hopefully you
14 can hear it.

15 Attorney Cooper?

16 MR. COOPER: Thank you, Mr. Chairman. I -- I
17 was asking Ms. Williams if she was aware
18 that in this proposal, to come up with this
19 proposal, that the Duke companies worked --
20 they held stakeholder meetings where they
21 allowed for representatives from the energy
22 installers, energy users, clean energy, North
23 Carolina Coastal Conservation League, the
24 South Carolina Coastal Conservation League,
25 Upstate Forever, and had a broad coalition of

1 people who came together from various
2 viewpoints to come together, discuss how to
3 meet this new law, and bring together best
4 ideas --

5 A Okay.

6 MR. COOPER: -- for how to --

7 A The first part of this question was, was I aware
8 that this meeting had been held, and then after
9 that it faded out into gibberish. But let me make
10 it clear: I wasn't aware of any meeting because
11 the normal channels, like local news media, were
12 not utilized by Duke. So the way to make the
13 public aware of meetings such as this -- and your
14 stakeholders are your customers, I would advise,
15 Mr. Cooper, because I presume you represent Duke,
16 although they didn't say who you represent. The
17 local media, you know, the media that broadcasts to
18 the state, to the customers which you are trying to
19 reach or which you should be trying to reach,
20 that's how you make people aware. That never
21 happened.

22 Q Okay. And -- and are you aware, Ms. Williams, that
23 a broad group of various interest groups, those who
24 advocate for clean energy, those who advocate for
25 rooftop solar, have all endorsed this proposal

1 because they believe that this proposal will allow
2 our state to continue to build upon the successful
3 deployment of solar generation, it will allow the
4 -- our state to avoid the disruption to solar
5 markets --

6 A Sir, I would love for you to state the --

7 Q -- as well as --

8 A -- names of those groups.

9 Q Well, I can -- I'd be happy to. I can tell that
10 the North Carolina --

11 A Please do.

12 Q -- Sustainable Energy --

13 A Please do.

14 Q -- the North Carolina Sustainable Energy
15 Association, the South Carolina Coastal
16 Conservation League, the Southern Alliance for
17 Clean Energy, Upstate Forever, Vote Solar, Alder
18 Energy, that's a solar installer, those are some of
19 the parties who've come together and -- and signed
20 an agreement and -- and come before this Commission
21 to express their support that this program does
22 exactly those things I just read off to you.

23 A Okay. I couldn't hear anything that you read off.
24 I just heard you read some of the groups. The --
25 the issue is, sir -- again, I have not seen the

1 documents from any conservation group, and the only
2 documents I have seen are from conservation groups
3 that are opposed. And I want to make that crystal
4 clear: If Duke, as large as Duke is, wants to give
5 the public notice about anything, they go through
6 local news media in each of the counties where they
7 serve. That's how you reach your customers,
8 business and residential, sir. And I'm quite sure
9 Duke --

10 Q Thank you.

11 A -- is aware of that.

12 Q Well, thank you very much. I will -- I will end
13 because it's --

14 MR. COOPER: Obviously, Mr. Chairman, there's
15 an issue with communications, that Ms.
16 Williams can hear certain comments I'm making
17 but not other comments I'm making. But --
18 but, obviously, given the number of parties on
19 this call, although they may not have asked
20 questions, obviously, those parties such as
21 the South Carolina Coastal Conservation
22 League, Upstate Forever, Vote Solar, they're
23 all, as you-all know, endorsing this and were
24 -- were heavily involved with the development
25 of this. Thank you very much, Mr. Chairman.

1 Nothing further.

2 CHAIRMAN J. WILLIAMS: Office of Regulatory
3 Staff.

4 WITNESS WILLIAMS: And I state --

5 MS. PITTMAN: No questions --

6 WITNESS WILLIAMS: -- again --

7 MS. PITTMAN: -- from ORS.

8 WITNESS WILLIAMS: -- the public has not been
9 noticed.

10 CHAIRMAN J. WILLIAMS: All right. Thank you
11 very much for your testimony, Ms. Williams.
12 Please enjoy the rest of your day.

13 WITNESS WILLIAMS: Thank you.

14 (Witness excused)

15 CHAIRMAN J. WILLIAMS: Please call the next
16 witness.

17 MR. BOCKMAN: Our next witness is Paul Rundle.

18 Paul Rundle.

19 (Witness affirmed)

20 THEREUPON came,

21 PAUL RUNDLE,

22 who, having been first duly affirmed, testified, via
23 audioconference, as follows:

24 MR. BOCKMAN: Will you please state your name
25 for the Commission?

1 WITNESS RUNDLE: Paul Rundle.

2 MR. BOCKMAN: Mr. Rundle, will you please
3 state the name of the town in which you live?

4 WITNESS RUNDLE: Greer, South Carolina.

5 MR. BOCKMAN: Thank you, sir. Are you a Duke
6 Energy customer?

7 WITNESS RUNDLE: Yes, sir.

8 MR. BOCKMAN: And do you have rooftop solar
9 panels?

10 WITNESS RUNDLE: I do not.

11 MR. BOCKMAN: Thank you, Mr. Rundle. You have
12 three minutes for your testimony. You may
13 begin now.

14 WITNESS RUNDLE: Well, good morning, everyone.
15 Good morning, Mr. Chairman and the Commission.
16 Thank you guys for having this hearing today.
17 We appreciate having a voice in this.

18 As a Duke customer and someone that works
19 in solar, I -- I just want to share what I
20 have seen over the last five years of working
21 in solar here in South Carolina. Generally
22 speaking, this has not been a solar-friendly
23 utility. Duke, specifically -- we went
24 through a shutdown back in 2018, where, you
25 know, many of my employees had to relocate due

1 to the net metering changes. So I just want
2 to say thank you to Mr. Wiebel, as well
3 Valerie; you guys did a great job of
4 representing a lot of customers' opinions.
5 And I say that because I work with lots and
6 lots of people that are interested in solar,
7 looking to make the switch to solar, and we
8 have helped a significant amount of people do
9 that already.

10 So, you know, coming -- coming from that
11 perspective, I just want to share that right
12 now in the -- in this market, this is not a
13 thriving solar market currently, okay? And I
14 say that comparatively to the 28 states that
15 our company's in. People are generally
16 saving, you know, about 10 percent. And
17 currently we have a plan -- if we have a plan
18 that cuts more than 10 percent, customers
19 aren't going to save, okay? So I want to be
20 clear, and -- and from what I've heard in this
21 hearing, the comprehensive Duke plan is right
22 at 10 percent. And -- and I think what's
23 going to happen is, you know, the market's
24 going to continue to squeak by, right? And --
25 and so, you know, what I -- what I don't want

1 is for people to lose that savings, right?

2 It's -- it's important to people to have the
3 freedom, you know, to -- to choose where they
4 get their power.

5 And -- and I also want to speak to some
6 of the soft costs associated with doing solar,
7 right now, okay? This is something that is
8 not discussed a ton, but from an operational
9 standpoint, doing solar in South Carolina is
10 -- is -- is -- is expensive. You know, there
11 -- there are delays associated with, you know,
12 getting -- getting customers enrolled, and net
13 metering interconnection process can take
14 weeks to months. It's -- it's not uncommon to
15 see three- to five-month turnaround due to
16 utility just sluggishness on the
17 interconnection side as well as, you know,
18 permitting issues. And so that does
19 absolutely drive up costs, so that's where,
20 you know, when we're talking about saving --
21 you know, cutting -- cutting more than 10
22 percent, there -- there is a significant cost
23 shift there for people to go solar.

24 I think South Carolina will feel the pain
25 more because of those soft costs. You know, I

1 have co-workers who can, you know, help --
2 help someone enroll in solar in a market like
3 Nevada on Monday, and then on Friday that
4 customer gets installed. And, you know, that
5 would be a miracle if something like that
6 happened here.

7 So -- so yeah. I -- I -- I just want to
8 echo a lot of what's already been said.
9 Overwhelmingly, people do want the optionality
10 to -- to make a switch, and we see that just
11 in our conversations that we have every day.
12 And by trimming -- you know, trimming down the
13 savings, it's -- it's going to take a market
14 that's not really thriving, and it's going to
15 just allow it to -- to squeak by. And I don't
16 think that's good for the people. I don't
17 think that's good for South Carolina.

18 CHAIRMAN J. WILLIAMS: Thank you for your
19 testimony, sir. Do any of the parties have
20 questions for this witness? Commissioner
21 questions? All right, sir. Thank you for
22 your testimony. Enjoy the rest of your day.

23 (Witness excused)

24 Please call the next witness.

25 MR. BOCKMAN: Our next -- excuse me. Our next

1 witness is Mandy Powers Norrell. Ms. Powers
2 Norrell, can you hear us?

3 WITNESS POWERS NORRELL: Yes. Yes. You just
4 came on.

5 MR. BOCKMAN: Superb.

6 (Witness affirmed)

7 THEREUPON came,

8 MANDY POWERS NORRELL,
9 who, having been first duly affirmed, testified, via
10 audioconference, as follows:

11 MR. BOCKMAN: Will you please state your name
12 for the Commission?

13 WITNESS POWERS NORRELL: Thank you.

14 MR. BOCKMAN: Will you please state your name
15 for the Commission?

16 WITNESS POWERS NORRELL: Oh, my name is Mandy
17 Powers Norrell.

18 MR. BOCKMAN: And -- and what town do you live
19 in, Ms. Powers Norrell?

20 WITNESS POWERS NORRELL: I'm sorry. I'm
21 having a little bit of trouble hearing you.
22 Can you say that again?

23 MR. BOCKMAN: Sorry. Yes. What town do you
24 live in?

25 WITNESS POWERS NORRELL: Okay. I live in

1 Lancaster, South Carolina.

2 MR. BOCKMAN: Thank you, ma'am. And are you a
3 Duke Energy customer?

4 WITNESS POWERS NORRELL: Yes. I am.

5 MR. BOCKMAN: And do you have rooftop solar
6 panels?

7 WITNESS POWERS NORRELL: I do not, but I plan
8 to get them.

9 MR. BOCKMAN: Thank you, ma'am. You have
10 three minutes for your testimony. You may
11 begin now.

12 WITNESS POWERS NORRELL: Thank you very much.
13 I'm Mandy Powers Norrell. I am the former
14 representative in the South Carolina House of
15 Representatives for District 44, Lancaster
16 County. I have served four terms in the House
17 and ended my service last year.

18 While in the House, I focused on
19 legislative areas including conservation and
20 clean energy, and one thing that I agreed with
21 folks on both sides of the aisle on was that
22 Act 62 and the bill that inspired it was about
23 democratizing energy for the people of South
24 Carolina. Even Governor McMaster, who I ran
25 against in 2018 -- we don't agree on a whole

1 lot, but we agreed on rooftop solar and the --
2 and the importance of unlocking the solar
3 market with a balanced approach to sustainable
4 energy.

5 And it's somewhat rare for us to, as a
6 legislature, include legislative intent within
7 the confines of a bill, but we did that in --
8 in -- in this Act, and we trusted the Public
9 Service Commission to -- to balance the goals
10 that we laid out. And if you look at
11 Subsection D of the Act, we give the
12 Commission additional tools to -- and ask that
13 -- among other things, that it consider the
14 economic impact of the net metering program
15 and reduce any cost shift to the greatest
16 extent practicable and -- and also outlined
17 the goal of democratizing energy.

18 You know, I agree with the op-ed that my
19 friend Peter McCoy had in the "Post & Courier"
20 last month. He was the chair of Judiciary
21 when I -- when I served on Judiciary, and this
22 bill came through my subcommittee in 2018.
23 And I want to applaud the parties for coming
24 together in this matter. From what I've been
25 told, Duke Energy has been a real hero for

1 solar energy in this case, and -- and this is
2 the -- the product of a negotiated settlement
3 that has -- has satisfied all parties, and
4 this is a wonderfully balanced approach.

5 So I am happy to -- to take any
6 questions, but I think my main concern in this
7 is to -- to let you know about legislative
8 intent and to make sure that -- that I
9 emphasize that Subsection 3, the third -- the
10 third part of the legislative intent that's --
11 that's applicable here, about shifting --
12 eliminating cost shift or subsidization
13 associated with net metering, includes the
14 words "to the greatest extent practicable."
15 If there was a period at the end of that -- at
16 the end of that first phrase and not the words
17 "to the greatest extent practicable," then --
18 then there would be no reason for the bill at
19 all because it's -- because there is some cost
20 shift. It's not all the cost shift. The
21 other -- the other sections of the bill talk
22 about democratizing energy and saving and
23 growing an existing solar market and solar
24 jobs that are -- that are continuing to -- to
25 grow in South Carolina. And that was a very

1 important part of -- of what the legislature
2 intended to do in this -- in -- in crafting
3 this legislation.

4 So I'm happy to answer any questions that
5 y'all have.

6 CHAIRMAN J. WILLIAMS: Any questions from the
7 parties for this witness? Commissioner
8 questions --

9 COMMISSIONER ERVIN: Mr. Chairman?

10 CHAIRMAN J. WILLIAMS: -- for this witness?
11 Vice Chair Belser.

12 VICE CHAIR BELSER: Good morning,
13 Representative Norrell. How are you this
14 morning?

15 WITNESS POWERS NORRELL: I'm doing great. I
16 hope you are.

17 VICE CHAIR BELSER: We're staying busy. I
18 just want to thank you for taking the time to
19 comment this morning. We certainly appreciate
20 your continued interest in this area, and, as
21 with the other witnesses, we'll certainly give
22 your testimony consideration. But thank you
23 for -- for calling in and participating. We
24 do appreciate it.

25 WITNESS POWERS NORRELL: Thank you so much.

1 CHAIRMAN J. WILLIAMS: Commissioner Powers.

2 COMMISSIONER POWERS: Thank you, Mr. Chairman.

3 EXAMINATION

4 BY COMMISSIONER POWERS:

5 Q Ms. Norrell, I, too, would thank you for your
6 interest and participation in this hearing.

7 A Thank you.

8 Q There's -- of course, there's been a lot of
9 argument or -- or a lot of back and forth as to
10 exactly what the intent of the legislature was, and
11 I'm gathering what you're saying is you agree with
12 the intent expressed by Peter McCoy?

13 A Yes. I do. And -- and I worked closely with --
14 with Representative McCoy on this over the many
15 years that we had several solar bills come before
16 us and -- and this most recent one. Democratizing
17 energy is enabling market-driven private
18 investment, and saving and growing the jobs created
19 with the solar market were -- were just as
20 important to the legislature as -- as trying to
21 minimize cost shift. And that's how I read that
22 section. Where it says, "eliminating cost shift to
23 the greatest shift practicable," to me means
24 "minimizing cost shift" and -- because otherwise
25 the bill would not make any sense if it -- if we

1 didn't have the "to the greatest extent
2 practicable" language in there.

3 Q But you feel it is to promote solar?

4 A Absolutely. And that -- that is undeniably the
5 main point of the legislation, and everybody
6 understood that as we were passing it.

7 Q Thank you so much.

8 A Thank you.

9 COMMISSIONER ERVIN: Mr. Chairman.

10 CHAIRMAN J. WILLIAMS: Yes, sir. Please
11 identify yourself.

12 COMMISSIONER ERVIN: This is Commissioner
13 Ervin. May I ask --

14 CHAIRMAN J. WILLIAMS: Oh, Commissioner Ervin.
15 I didn't recognize your voice. Sorry about
16 that. Yes, sir. You have the floor.

17 COMMISSIONER ERVIN: -- a question? Thank
18 you.

19 EXAMINATION

20 BY COMMISSIONER ERVIN:

21 Q Mandy, it's great to hear your voice this morning,
22 and thank you for calling in. We appreciate your
23 input.

24 A Thank you.

25 Q Did you know or are you aware that in -- in several

1 other jurisdictions around the country public
2 service commissions have found that the costs are
3 outweighed by the benefits, and -- and they have
4 found in various rulings around the country that
5 there is no cost shift? Were you aware of that?

6 A I didn't know that they found that there is none,
7 but I'm so glad to hear it. We were aware as we
8 were debating -- well, we didn't really debate the
9 bill in the -- in it's final version. It passed
10 unanimously. But in prior years when we debated
11 it, that was -- that was the -- the -- the main
12 part of this. Even in 2018 it passed by an
13 overwhelming majority. And -- and it was, you
14 know, known and agreed that the benefits of solar
15 far outweighed the -- any -- any potential drawback
16 and that it was -- that it was something that -- a
17 direction that we just had to go in in South
18 Carolina because of our -- our aging energy
19 infrastructure otherwise and -- and because of the
20 need to shift toward renewables. And so I -- I
21 don't doubt that -- you know, that every place
22 that's ever studied it has found that the benefits
23 outweigh the -- the negatives. But I'm glad to
24 hear that -- that the cost shift is -- is either
25 non-existent or minimal. It doesn't surprise me,

1 but I'm glad to hear of those studies.

2 Q One of the things that we have heard testimony
3 about and -- and kind of struggle with: How do --
4 how do we quantify the economic impacts? We know
5 that they exist, but what -- what were your thoughts
6 as one of the authors of the legislation? How do
7 you quantify that in a -- or -- or do you need to?

8 A You know, I'm not a subject matter expert on this,
9 and -- and I don't know how to quantify it. But I
10 would think that -- you know, in -- in looking at
11 that, I would look to the -- the judgment of
12 entities that have a financial stake in this, like
13 Duke Energy. You know, certainly, they have a
14 notion of how it's quantified, and this is a
15 product of a negotiated settlement with them. And
16 so I would assume that they have quantified it and
17 they believe that it's in -- it's in their best
18 interest and in the best interest of customers.
19 They have a profit motive, and if they -- and if
20 they're willing to say, "We can still make money at
21 this for -- for ourselves and our shareholders and
22 it's still good for customers in terms of
23 democratizing energy and putting them in charge of
24 their own consumption and -- and their own utility
25 bills," then it just seems like a win-win. And I

1 would -- I would just argue that -- that it's -- I
2 don't know how to quantify it myself, but I -- I
3 trust the -- those with a profit motive to quantify
4 it. And -- and I believe that they probably have.

5 Q Thank you very much.

6 COMMISSIONER ERVIN: Thank you, Mr. Chairman.

7 WITNESS POWERS NORRELL: Thank you.

8 CHAIRMAN J. WILLIAMS: Yes, sir. Rep Powers
9 Norrell, thank you so much for calling in. My
10 aunt and uncle, Dr. Ron and Vivian Gray, think
11 very highly of you.

12 WITNESS POWERS NORRELL: Oh, my goodness. I
13 love them.

14 CHAIRMAN J. WILLIAMS: Uh-huh.

15 WITNESS POWERS NORRELL: I'm so glad to know
16 that you're related to them.

17 CHAIRMAN J. WILLIAMS: And I really appreciate
18 you calling in. You know, sometimes folks
19 wonder, "Is it worth participating in matters
20 like this?" And, generally speaking, I think
21 they're very important, but the fundamental
22 matter is we don't have anything to consider
23 if we don't hear testimony. So --

24 WITNESS POWERS NORRELL: Uh-huh.

25 CHAIRMAN J. WILLIAMS: -- we really appreciate

1 not only you, but even the gentleman from
2 Greenville, who drove down. I think it's very
3 important to participate. I got a couple of
4 questions for you --

5 WITNESS POWERS NORRELL: Okay.

6 CHAIRMAN J. WILLIAMS: -- because you -- you
7 have a unique perspective considering your
8 background.

9 EXAMINATION

10 BY CHAIRMAN J. WILLIAMS:

11 Q You would think -- at least I would think, as a
12 lawyer, whenever the General Assembly would pass
13 legislation that -- that starts with, "It is our
14 intent" or "It is the intent," that there wouldn't
15 be much discussion about -- about -- or
16 disagreement about that actual intent. But as you
17 know in -- in this docket, it has been some
18 discussion and-- and disagreement.

19 A Yes.

20 Q One of the things I'm -- I'm trying to wrap my head
21 around is the concept of a non-solar rooftop
22 customer subsidizing, if you will, or bearing some
23 of the cost for a rooftop solar customer. How
24 would you -- how do you rationalize that?

25 A You know, I -- again, I'm not a subject matter

1 expert, but when we were debating this in -- in
2 2018, I went out into the -- the hallway and asked
3 the experts to explain this to me like I'm in third
4 grade and help me fully understand, you know, net
5 metering and how it works and that kind of thing.
6 So I got kind of a B- understanding of it and
7 probably about as much as -- as I could've gotten
8 as a -- as a legislator and a non-expert and
9 someone who hasn't, you know, gone to school for
10 this. But I -- I -- from what I understand, it's
11 not much of a -- of a -- you know, a cost or a
12 subsidization. There may be some, and I think
13 Commissioner Ervin said that the -- that the
14 studies are showing that there may not be any at
15 all. But I -- you know, I -- I would just go back
16 to the -- the fact that Duke has -- has quantified
17 it themselves and -- and figured out that they're
18 not going to lose money on this. Otherwise, they
19 wouldn't support it. And -- and it's -- you know,
20 I -- I'm just going to fall back on the -- the fact
21 that I'm not a subject matter expert on it, but I'm
22 trusting that it's -- it's not much if any of a --
23 of a cost shift from -- from solar customers to --
24 to customers on the -- to non-solar customers
25 because it's -- it's been quantified by the utility

1 company. And --

2 Q Yes, ma'am.

3 A -- so --

4 Q Yes, ma'am. And -- and whether there's a cost
5 shift or not, I don't know. We're still trying to
6 figure --

7 A Yeah.

8 Q -- that out. But the way the Act reads to me, that
9 if there is a cost shift --

10 A Uh-huh.

11 Q -- it -- it seems that we, the Commission -- or
12 we're given guidance or instruction to -- to see if
13 we can eliminate it to the great extent practical
14 and that there's --

15 A Yeah.

16 Q -- a difference between that and complete
17 elimination; is it not?

18 A Yes. Yes. And that's what I was -- like to say --
19 we could end there, "eliminate any cost shift or
20 subsidization associated with net metering to the
21 greatest extent practicable." We didn't say,
22 "eliminate cost shift or subsidization, period."
23 And, you know, there's a reason there's not a
24 period at the end of that sentence. And if there
25 was, then we may not -- you know, it may eliminate

1 the need for the bill altogether. And certainly we
2 intended for -- to promote solar energy by enacting
3 this bill. And so if we -- we certainly wouldn't
4 have put a provision in there that says, "Hey,
5 we're enacting a bill that promotes solar energy,
6 but we really don't want solar energy." And that
7 would just be a very illogical way to interpret
8 that provision within the Act. So I think "to the
9 greatest extent practicable" means "mitigate cost
10 shift where possible."

11 Q Understood. Thank you so much for calling in. Oh,
12 we have some more questions --

13 A Thank you.

14 Q -- for you.

15 CHAIRMAN J. WILLIAMS: Commissioner Caston.

16 A Okay.

17 EXAMINATION

18 BY COMMISSIONER CASTON:

19 Q Ms. Norrell?

20 A Yes. Hi.

21 Q My -- my name's Mike Caston. Good morning.

22 A Good morning.

23 Q And thank you for your calling in and testimony.

24 A Thank you.

25 Q Did you know that the Office of Regulatory Staff,

1 in their analysis and study with their expert
2 witnesses, did determine that there was a
3 significant cost in -- cost shift between the non-
4 rooftop solar customer and the rooftop solar
5 customer?

6 A You know, I looked on their website for information
7 about this case, and I didn't see this case
8 mentioned at all. I saw other things on there and
9 -- and thought it was -- it was unusual that they
10 didn't -- they didn't reference their position on
11 this. But I had heard that they took the position
12 basically that there is a period at the end of that
13 phrase about cost shift and subsidization rather
14 than the -- the words "to the greatest extent
15 practicable." And that -- that seems to be an
16 illogical interpretation of the Energy Freedom Act,
17 to me. And -- and, yeah, I -- I am aware of it,
18 not because they put it out there, but because I
19 had been made aware of it by others. And so that's
20 -- but I don't understand how they arrive at that
21 unless they just stopped reading at the end of the
22 word "subsidization."

23 Q Thank you, ma'am.

24 A Thank you.

25 VICE CHAIR BELSER: Commissioners, any other

1 questions?

2 COMMISSIONER C. WILLIAMS: Chairman --

3 Chairman -- Vice Chairman Belser?

4 VICE CHAIR BELSER: Commissioner Williams,
5 please go ahead.

6 COMMISSIONER C. WILLIAMS: Thank you.

7 EXAMINATION

8 BY COMMISSIONER C. WILLIAMS:

9 Q Representative Powers Norrell, thank you so much
10 for calling in.

11 A Thank you.

12 Q Your perspective is -- as has been said before, is
13 really unique and really good to hear. So I wanted
14 to ask a little bit about some more of the -- the
15 intent. There are a number of places within the
16 legislation that talk about benefits in a general
17 perspective. There's a place where it talks about
18 economic benefits.

19 A Uh-huh.

20 Q But I wondered if there was any debate in 2018
21 about -- or any discussion about health benefits,
22 you know, air quality, water quality, just impacts
23 that solar energy might make on health benefits?

24 A You know, I'm trying to remember our solar debate
25 on that in 2018. I -- and I don't remember if

1 there was in the -- in the chamber, but I do
2 believe that we talked about that at length in
3 committee. This came through my subcommittee and
4 -- and then also through judiciary committee as --
5 that I sit on. And it -- we did -- we talked about
6 all the aspects of -- of the benefits of solar
7 energy, including health benefits and including,
8 you know, clean air and -- and all of the -- you
9 know, this was right around the time of -- that we
10 were dealing with the VC Summer issues and -- and
11 all of the problems associated with -- with that
12 plant and -- and talked a lot about the need for
13 some alternative to coal in the future as -- as
14 those -- as that method was starting to become, you
15 know -- or would become obsolete, and so -- you
16 know, rather than pouring more money into -- into
17 those plants, that we should start to do something
18 a lot cleaner that would -- that would take into
19 consideration future generations and -- and their
20 need for a clean earth and -- and something that is
21 a lot more renewable, that doesn't rely on a finite
22 resource. And so that's -- that was all discussed,
23 I know, at the committee level and at the
24 subcommittee level. So, therefore, it did -- you
25 know, it went into the -- the -- the -- the bill

1 itself.

2 Q Thank you. I -- I appreciate the ability to put
3 you on the spot to recollect something that
4 happened almost three years ago, but --

5 A Thank you.

6 Q -- your perspective is very helpful. Thank you,
7 and I hope you --

8 A Thank you.

9 Q -- have a great day.

10 CHAIRMAN J. WILLIAMS: Any more questions for
11 this witness?

12 MS. PITTMAN: Chairman Williams, one brief
13 question, if I may.

14 CHAIRMAN J. WILLIAMS: Is that Attorney
15 Pittman?

16 MS. PITTMAN: Yes. Sorry. Jenny Pittman for
17 ORS.

18 CHAIRMAN J. WILLIAMS: Please proceed.

19 MS. PITTMAN: Thank you.

20 CROSS-EXAMINATION

21 BY MS. PITTMAN:

22 Q Representative Norrell, I just wanted to clarify
23 something quickly. Are you familiar with Brian
24 Horii's testimony in this docket, our expert
25 witness?

1 A No. I haven't listened to any other testimony.

2 Q So -- so you're not familiar with his
3 recommendation that the Commission should adopt the
4 zero cost shift tariff if the Commission determines
5 that the elimination of the cost shift takes
6 priority over the -- the goal of Act 62 to minimize
7 disruption of the solar industry?

8 A I couldn't hear you completely, but I -- I'm -- I
9 -- I'm not familiar with anybody else's testimony.

10 Q Okay. Thank you, Representative. Nothing further.

11 A Thank you.

12 CHAIRMAN J. WILLIAMS: Representative Powers
13 Norrell, thanks again for calling in. Please
14 enjoy the rest of your day, ma'am.

15 WITNESS POWERS NORRELL: Thank you so much for
16 having me.

17 CHAIRMAN J. WILLIAMS: Yes, ma'am.

18 WITNESS POWERS NORRELL: Bye, bye.

19 (Witness excused)

20 CHAIRMAN J. WILLIAMS: Please call the next
21 witness.

22 MR. BOCKMAN: Our next witness is Alecia -- is
23 Alecia Brewster. Ms. Brewster, can you hear
24 me?

25 WITNESS BREWSTER: Good morning, can you hear

1 me?

2 MR. BOCKMAN: I can, indeed. Thank you,
3 ma'am.

4 (Witness affirmed)

5 THEREUPON came,

6 ALECIA BREWSTER,
7 who, having been first duly affirmed, testified, via
8 audioconference, as follows:

9 MR. BOCKMAN: Will you please state your name
10 for the Commission?

11 WITNESS BREWSTER: Alecia Brewster.

12 MR. BOCKMAN: Thank you, Ms. Brewster. And
13 will you please give the Commission the name
14 of your street, not your full address, and the
15 name of your town?

16 WITNESS BREWSTER: 316 Karsten Creek Drive,
17 Simpsonville.

18 MR. BOCKMAN: Thank you, ma'am. And are you a
19 Duke Energy customer?

20 WITNESS BREWSTER: Yes. I am.

21 MR. BOCKMAN: And do you have rooftop solar
22 panels?

23 WITNESS BREWSTER: I do not.

24 MR. BOCKMAN: Thank you, Ms. Brewster. You
25 have three minutes to give your testimony.

1 You may begin now.

2 WITNESS BREWSTER: Thank you so much. Thank
3 you, Commissioners. As a Duke Energy customer
4 -- and I'm also a clean energy advocate and a
5 supporter of energy equity -- I am in support
6 of Duke Energy's net energy metering proposal,
7 and one of the reasons is because I've seen
8 from a recent study that it has made the
9 viability of solar, specifically for low- and
10 moderate-income households, viable. I also
11 serve as program director at Sustaining Way
12 and for South Carolina Interfaith Power and
13 Light, two South Carolina-based organizations
14 that use education and collaboration advocacy
15 to create sustainable, caring, and equitable
16 communities, and third-party leasing has led
17 to increased access to solar for the -- for
18 the residents who live in the types of
19 communities that we serve. So I'd like to see
20 access continue, but this is as long as there
21 are consumer protections in place and as long
22 as leasing companies follow the highest
23 ethical standards and are held to those
24 standards by our state.

25 In a recent conversation with a community

1 resident in one of the communities that we
2 serve, I did hear that there was some concern
3 about not getting clear information from the
4 company that she used for her rooftop solar.
5 And so this is something that I do want to
6 ensure, that there are those consumer
7 protections for households and for those
8 individuals who are leasing. But I also
9 recognize that this is a wonderful opportunity
10 to be able to continue to open up access. A
11 recently published study from Berkeley Lab,
12 for instance, shows that South Carolina has
13 the highest percentage -- 21 percent of South
14 Carolina solar adopters actually earn \$50,000
15 or less. And this is very interesting,
16 really, when you look at those who
17 traditionally have been able to adopt solar
18 have been higher income earners. So the
19 report does conclude that third-party owned
20 devices or systems, that is the driver behind
21 the increased adoption of solar by lower
22 income households in South Carolina. So I do
23 believe that those third-party owned systems
24 will be critical for continuing to expand
25 rooftop solar and for giving low-median -- or

1 excuse me, middle income households access to
2 this technology.

3 So that concludes my comments. Thank you
4 for my time.

5 CHAIRMAN J. WILLIAMS: Do any of the parties
6 have questions for this witness?

7 EXAMINATION

8 BY CHAIRMAN J. WILLIAMS:

9 Q Ma'am, I -- I have a few questions with you. If I
10 understand you correctly, you have some familiarity
11 or maybe even advocacy on behalf of low income
12 populations?

13 A Yes. I do.

14 Q Okay. I just -- I want to just talk to you for a
15 little while about this concept of a non-solar user
16 carrying the cost for a rooftop solar customer,
17 also known as the cost shift, also known as a
18 subsidy. We -- we've heard a lot of testimony
19 about that, heard some very interesting arguments.
20 But I'm just curious to know your position based on
21 your -- your experience, your knowledge, and your
22 advocacy on behalf of low income populations.

23 A So I have a very broad advocacy for -- for low
24 income -- low/moderate income households, not
25 specific to solar or to the cost shift that could

1 possibly occur with rooftop solar. But I will say,
2 just from looking at studies that show that energy
3 burdens in particular in South Carolina are very
4 high for low income households, I am more concerned
5 about being able to shift the burden from lower
6 income households.

7 Q Okay. I understand that. And -- and so, if that's
8 the case, just a hypothetical: If -- if the cost
9 shift or the subsidy, however you want to refer to
10 it -- let's -- let's say it takes 50 cent from
11 every non-solar users to cover the cost for the
12 solar user to have rooftop solar on their roofs and
13 to experience all those benefits, it's going to
14 cost that non-solar user 50 cent a month. Is -- is
15 that something that you think would concern a low
16 income population -- low to moderate income
17 population, the fact that they're paying an extra
18 50 cent or a dollar, even?

19 A I -- I don't think that that's as big a concern as
20 it is the ability to have access to technology that
21 could save them and give them a lot more control
22 over their energy costs in -- in the long run. So
23 I do still feel strongly that opening of access --
24 the -- you know, my -- of course, would want,
25 certainly, for there not to be a cost shift or for

1 this particular company, and that company had been
2 in business for ten years or so. And after having
3 adopted solar, that company did end up going out of
4 business as well. So that is a concern of mine,
5 that there be education and protection for
6 consumers broadly, but also just, you know, making
7 sure that there are -- you know, the highest
8 ethical standards are in place for those companies
9 that are out selling.

10 Q Thank you. I appreciate that input. That's all I
11 had.

12 CHAIRMAN J. WILLIAMS: All right. Thank you
13 very much --

14 WITNESS BREWSTER: Thank you.

15 CHAIRMAN J. WILLIAMS: -- Commissioner Thomas.
16 Ms. Brewster, I don't think there are any more
17 questions for you.

18 WITNESS BREWSTER: Thank you for your time.

19 CHAIRMAN J. WILLIAMS: Yes, ma'am. Thank you
20 for calling in. Please enjoy the rest of your
21 day.

22 WITNESS BREWSTER: You, too. We will.

23 (Witness excused)

24 MR. BOCKMAN: Our next witness is Melissa
25 Brundage. Ms. Brundage, can you hear me?

1 WITNESS BRUNDAGE: (Inaudible.)

2 MR. BOCKMAN: Ms. Brundage, good morning.

3 WITNESS BRUNDAGE: I cannot hear you.

4 MR. BOCKMAN: Ms. Brundage, can you hear me
5 now?

6 WITNESS BRUNDAGE: No. You're -- you're on a
7 speaker phone, and I can -- you're -- it's
8 like you're at the end of a tunnel.

9 VICE CHAIR BELSER: She needs to turn off or
10 mute whatever she's listening to. She's --

11 WITNESS BRUNDAGE: Hello.

12 MR. BOCKMAN: Ms. Brundage, are you currently
13 listening to the livestream on a device?

14 WITNESS BRUNDAGE: I will pause that.

15 MR. BOCKMAN: Thank you. That should fix some
16 of these issues. Can you hear me now?

17 WITNESS BRUNDAGE: Okay. I paused it.

18 MR. BOCKMAN: Thank you, ma'am.

19 (Witness affirmed)

20 THEREUPON came,

21 MELISSA BRUNDAGE,

22 who, having been first duly affirmed, testified, via
23 audioconference, as follows:

24 MR. BOCKMAN: Will you please state your name
25 for the Commission?

1 WITNESS BRUNDAGE: Melissa Brundage.

2 MR. BOCKMAN: And, Ms. Brundage, in which town
3 do you live and on which street? We do not
4 need your full address.

5 WITNESS BRUNDAGE: I live on the Manville
6 Wisacky Road in Bishopville, South Carolina.

7 MR. BOCKMAN: Thank you, ma'am. And are you a
8 Duke Energy customer?

9 WITNESS BRUNDAGE: I am.

10 MR. BOCKMAN: And do you have solar panels on
11 your home?

12 WITNESS BRUNDAGE: I do.

13 MR. BOCKMAN: Thank you, ma'am. You have
14 three minutes for your testimony. You may
15 begin now.

16 WITNESS BRUNDAGE: Okay. I just wanted to
17 say, as a rooftop solar consumer, that this
18 settlement is patently unfair to us. This
19 system was essentially sold to me as pre-
20 paying for my electricity for the next 20
21 years. It was -- had the endorsement of Duke
22 Energy because they gave a rebate. It had the
23 endorsement of the federal government -- they
24 gave tax breaks -- and of the state
25 government. So I really trusted that this was

1 a real legitimate deal. So to pull the rug
2 out from under me and all the other consumers
3 who have purchased their rooftop solar panels,
4 it's patently unfair.

5 The new agreement -- proposed agreement
6 would cost me -- and I'm doing this over 20
7 years because that's what it was sold to me --
8 will cost me over \$7200 more just in fees,
9 just for the privilege of being hooked up to
10 Duke's service.

11 Additionally, it will cost me -- I will
12 be paying full electric bills for the -- the
13 cold winter months at a cost of 10 and 16 and
14 even 25 cents a kilowatt-hour, at Duke's
15 discretion, whereas you will be purchasing my
16 electricity at 2 percent -- at 2 cents per
17 kilowatt-hour.

18 This was not the deal. The net 30
19 metering makes rooftop solar not worth it
20 economically. This is not a win-win for the
21 consumers who have panels. It's costing us
22 almost -- it's costing us a lot more than what
23 was agreed upon when we installed the system.
24 And it makes it economically not viable for
25 the average consumer. It doesn't make sense

1 at this new rate. It's not an economic
2 advantage to purchase solar panels and put
3 them on my roof with this current proposed new
4 metering system.

5 And I'm -- I'm -- I wouldn't call myself
6 a low income. I'm a moderate income person,
7 and this -- this is the bottom line, is this
8 is a completely new scheme that is not -- it
9 makes the solar panels not economically viable
10 for the consumer, and that is my bottom line.

11 I didn't agree with much of the first
12 person's testimony this morning, but he was
13 right in saying that there is a bait and
14 switch going on here. And I have no way to
15 opt out. There's a new four-tiered system
16 where we're being charged more for the
17 electricity than the other consumers, and it's
18 making it -- you know, I'm out of pocket a lot
19 of money for this system. It was not covered
20 by the rebate and all the tax breaks, so that
21 was pre-paying my electric. Now I've paid
22 that, and I'm going to have to, again, buy
23 electricity.

24 And that's -- that's the essence of my
25 testimony. Thank you for hearing me.

1 CHAIRMAN J. WILLIAMS: Thank you, ma'am, for
2 calling in. Questions for this witness?

3 MR. COOPER: Mr. Chairman, this is Ashley
4 Cooper on behalf of the Duke companies.

5 CHAIRMAN J. WILLIAMS: Yes, sir.

6 MR. COOPER: I -- if I may, I'll be brief.

7 CROSS-EXAMINATION

8 BY MR. COOPER:

9 Q Good morning, Ms. Brundage. My name is Ashley
10 Cooper.

11 A Good morning.

12 Q And I represent the Duke companies. Thank you for
13 your testimony this morning, and thank you for --
14 for calling in. If I may -- I know there -- there
15 may be trouble hearing, but if I may, can I ask:
16 When did you -- when did you acquire the rooftop
17 solar that -- that you've -- you installed?

18 A It was installed finally -- it was mentioned
19 earlier, there were huge delays and huge barriers
20 for permitting, etc. My county wanted to mail the
21 schematics in. They wanted me to print out the
22 electronic schematics and mail it to the engineer.
23 I did overcome all that.

24 And finally in December of 2016 was --

25 Q Okay.

1 A It went on line then in March of 2017.

2 Q Okay. And -- and so -- and you lease these from --
3 from a third party, I -- I take that. Obviously,
4 you did not lease these from Duke Energy?

5 A I purchased this -- this whole system.

6 Q Okay. Okay. But did --

7 A And they gave me a lovely --

8 Q -- not purchase this --

9 A You have a lovely payment plan over 20 years.
10 Excuse me. "It's a little bit less" --

11 Q Okay. And that --

12 A -- "than your electric cost, and then when it's
13 paid for, it's all free and clear electric you're
14 getting." So I was obviously sold a bill of goods.

15 Q And -- and -- and, Ms. Brundage, I -- I'm sorry
16 that it sounds like you -- you were, and I'm sorry
17 that -- that that's happened. I just want to be
18 clear to the Commission and to everybody.
19 Obviously, that's -- Duke Energy did not sell you
20 this package; they're not in the business of
21 selling solar panels. So I just wanted to be clear
22 since --

23 A No. They did not, but -- but they -- you know,
24 they endorsed it by giving the rebates. Duke
25 Energy is still soliciting for selling electric

1 systems -- solar electric systems that you know --
2 you knew -- have known that costs a lot more to
3 generate the electricity versus your traditional
4 (technical interruption). You endorsed it, you
5 promoted it, and I bought it.

6 Q Well -- and, Ms. -- Ms. Brundage -- and so when
7 Duke Energy -- the Commission approved Duke
8 Energy's proposal, it proposed a ten-year proposal.
9 So it was a fixed proposal for a ten-year period
10 that will run to 2025. And Duke Energy's not made
11 any --

12 A Right. So I'll have only ten more years to pay off
13 everything --

14 Q Okay. So --

15 A -- and -- and --

16 Q So --

17 A -- purchase electricity at vastly higher rates than
18 you will purchase it from me.

19 Q Okay. And -- and --

20 A I think -- I think that a --

21 Q -- are you aware that --

22 A -- better way to do this is to grandfather -- to
23 give people the 20-year window that we were -- we
24 were sold. And, granted, it was not from Duke
25 Energy, directly.

1 Q Right.

2 A But that is how --

3 Q Well --

4 A -- the system was sold to me by Vision Solar.

5 Q Well, and -- and, again, I -- I apologize for
6 whatever Vision Solar may have said or represented
7 or -- or -- or have done. Obviously, I represent
8 Duke Energy, which is a different -- completely
9 different entity.

10 I -- I can say: Are you aware that despite
11 the fact that Duke Energy had only put out this
12 program for a ten-year period and was clear for a
13 ten-year period, in the program they're offering
14 today, they're offering an interim -- an interim
15 period that's an extended period of time for an
16 interim program that someone like yourself could
17 take advantage of as a way to gradually go from the
18 program you're on now, to a new program, and -- and
19 offer a more gradual transition?

20 A The interim -- but the interim proposal also costs
21 me a lot more in the interim.

22 Q Well -- and I -- and I understand that. I -- I --
23 as I said, I can't do anything about what the --
24 the -- the company who sold you the panels
25 represented or the fact they structured a 20-year

1 deal, but I just at least wanted you to be aware of
2 this -- this interim transition period that -- that
3 should -- that is designed through the company and
4 the various stakeholders to -- to accommodate and
5 help someone in your situation.

6 So, again, thank you very much for your time,
7 and we appreciate you stepping forward and
8 providing your testimony this morning.

9 A Well -- well, the interim -- the interim also calls
10 for the net 30 metering, and that is what makes
11 this whole program unsustainable moneywise, and
12 that's just not acceptable.

13 MR. COOPER: Mr. Chairman, I have nothing
14 further.

15 WITNESS BRUNDAGE: Okay. Thank you, sir, for
16 listening.

17 CHAIRMAN J. WILLIAMS: All right. Ma'am, are
18 you still with us?

19 WITNESS BRUNDAGE: I am.

20 CHAIRMAN J. WILLIAMS: All right. For some
21 reason or another, we're -- we're getting some
22 strange feedback, like a loop. You -- you
23 don't have that --

24 WITNESS BRUNDAGE: Well --

25 CHAIRMAN J. WILLIAMS: -- livestream playing

1 --

2 WITNESS BRUNDAGE: Well, it's probably because
3 my -- my -- for some reason, my tablet turned
4 on again here --

5 CHAIRMAN J. WILLIAMS: Oh, okay. Cool.

6 WITNESS BRUNDAGE: -- to the hearing. So I --
7 I'm stepping outside, so we'll try that.

8 CHAIRMAN J. WILLIAMS: All right. Sounds
9 good. Any more questions for this witness
10 from the parties?

11 MS. PITTMAN: Chairman Williams, Jenny Pittman
12 for ORS. Just a few questions.

13 CHAIRMAN J. WILLIAMS: Yes, ma'am. Go right
14 ahead.

15 MS. PITTMAN: Thank you.

16 CROSS-EXAMINATION

17 BY MS. PITTMAN:

18 Q Good morning, Ms. Brundage.

19 A Good morning.

20 Q I'm not sure I heard you clearly. Who did you
21 purchase your solar system from?

22 A The company was Vison Solar. It is now called "ION
23 Solar."

24 Q Okay. And did they -- when they sold you this
25 system, did they let you know that your rates could

1 change?

2 A Well, I expected the rates to go up. That was also
3 part of the -- that's also part of the advantage of
4 having the solar because you have -- it's going to,
5 you know, essentially pay most of your electric
6 bill now, and it's going to be an even bigger cost
7 savings when the rates go up. And I expected that.
8 I anticipated that. I did not expect to be
9 financially penalized for participating in a
10 program which Duke promoted --

11 Q And, Ms. Brundage --

12 A -- for two --

13 Q -- did --

14 A -- systems is -- you know, it's different than the
15 other customers, and it's -- it's just not fair.

16 Q I understand. And did ION or Vison Solar inform
17 you that when you purchased your system, the -- the
18 metering rates would stay the same until --

19 A Well, yeah.

20 Q -- I believe it is --

21 A They told me how lucky I was --

22 Q -- wouldn't change until 2025?

23 A -- because at other companies or other places they
24 do the net 30 metering, but Duke does not. They
25 give you the one-to-one. They allow you to bank

1 your kilowatt-hours. That is what makes the
2 program work, fiscally.

3 Q And you were not made aware at the time you
4 purchased this system that that could change?

5 A I'm sorry. I can't hear you. But I think you said
6 -- no. I was not aware that Duke would then change
7 their policy. You know, I expected rates to go up,
8 sure, things like that, but not that they would
9 change the whole structure of this -- this billing
10 scheme.

11 Q Okay. Thank you for your time, Ms. Brundage. I
12 have no further questions.

13 A You're welcome. Thank you for listening.

14 CHAIRMAN J. WILLIAMS: Commissioner questions
15 for this witness? Commissioner questions for
16 this witness?

17 EXAMINATION

18 BY CHAIRMAN J. WILLIAMS:

19 Q Ma'am, I -- I have a few questions for you if you
20 don't mind.

21 A Absolutely.

22 Q Are you familiar with the concept of a cost shift
23 or subsidy involved in --

24 A Absolutely. I am 100 percent aware of what the
25 issue is and why they're trying to recoup this

1 money. I understand that other customers are
2 subsidizing this whole program, but Duke Energy
3 knew that these -- these rooftop -- small-scale
4 solar rooftops would need subsidization to make
5 them viable. They knew that when they did this
6 program. I'm not -- I'm not an engineer, but I
7 know that a hundred small plants that produce
8 something are way less efficient than one big
9 plant. So I know they knew this. That -- that's
10 my point, is they're yanking the rug out from under
11 us, but we should at least be grandfathered in and
12 then -- you know, then we go, you know however --
13 however it goes.

14 Q All right. All right. Thank you so much, ma'am.

15 CHAIRMAN J. WILLIAMS: Commissioner Caston.

16 EXAMINATION

17 BY COMMISSIONER CASTON:

18 Q Yes, ma'am. So did I understand you to say that
19 you understood or knew that there was a cost shift
20 and -- and that was part of the subsidization to --

21 A Well, when you say "cost shift," as far as -- I
22 didn't -- I didn't know that this was an issue with
23 -- if it's costing -- my electricity costs more
24 than another person's electricity, yeah, the cost
25 has to be shifted to them to make up for that

1 difference, I mean, in general. Is -- is that what
2 you were asking?

3 Q The -- the argument -- or I guess the debate is and
4 has been that for customers who do not have rooftop
5 solar, the however many there are, that --

6 A Right. 98 percent are those kind. But my point
7 is: We knew that there had to be a subsidization
8 or cost shift somehow. But now you're going back
9 to mitigate that, to the people that you recruited
10 for this program. You're taking it from us rather
11 than -- I don't know where else to take it. But
12 Duke solicited hard -- advertised hard -- they're
13 still advertising hard to recruit people to this
14 solar program. And then they're changing the rules
15 and coming back and making me pay again.

16 Q Okay. I want to make sure I understand. Are you
17 saying that you do understand that the non -- the
18 customers who do not have rooftop solar are helping
19 subsidize those that do have rooftop solar and that
20 that's kind of part of the deal, and you're okay
21 with that?

22 A Well, absolutely. That was the deal that was sold
23 to me.

24 Q That was sold to you by the company that sold you
25 the rooftop solar?

1 A Yes. Yes. And it was promoted by Duke Energy. It
2 is still heavily promoted by Duke Energy.

3 Q And you were told that there was a subsidization
4 and that the non-rooftop --

5 A No, no. No. Of course, I wasn't told that, but
6 that's just common sense.

7 Q Okay. Thank you, ma'am.

8 A You're very welcome.

9 CHAIRMAN J. WILLIAMS: Any more questions for
10 this witness?

11 COMMISSIONER ERVIN: Mr. Chairman?

12 CHAIRMAN J. WILLIAMS: Commissioner Ervin.

13 EXAMINATION

14 BY COMMISSIONER ERVIN:

15 Q Yes, ma'am. I -- I wonder: Are you aware that
16 some studies -- research studies have found that
17 people like you that have rooftop solar actually
18 are a benefit to all customers because of the
19 benefits that are provided? Are you aware of that,
20 so that --

21 A I have never --

22 Q -- what -- what a lot of --

23 A -- heard of such a thing.

24 Q Well, a lot of jurisdictions say that -- that the
25 benefits outweigh the cost for rooftop solar, and

1 we're looking at -- we're looking at that very
2 carefully. But you're not a subject matter expert,
3 are you? You haven't studied this in detail, have
4 you?

5 A I'm only an expert in that I'm living it. Oh, and
6 I just remembered another point I needed to make.
7 This is not free. I was sold -- also sold a system
8 that is maintenance-free. I won't have to do
9 anything to it. It won't cost me a thing. Well,
10 y'all, I have to climb up on that roof at least
11 once a year and scrub those solar panels. God does
12 not clean them like I was told. I have to scrub
13 them. You have to put soap and take a soft brush
14 and scrub them, and I have a bad back this year,
15 and I -- I've solicited some -- I'm looking to hire
16 someone to do it for me because I cannot. I got a
17 quote of \$2195 to clean my solar panels. And --
18 which is more than they generate, probably, all
19 year. So I'm sorry I spoke out of turn there.
20 That was not your point, but I -- that is a point
21 that I wanted to make, also. This is another thing
22 that was never disclosed to me.

23 But, no, I'm not an --

24 Q Would you --

25 A -- expert except that -- that I'm -- I'm living --

1 Q Okay.

2 A -- with it and I'm learning as I go. But please
3 continue.

4 Q Thank you. Thank you very much. Thank you for you
5 answer and your questions and for participating
6 today. No further questions.

7 A Thank you.

8 MS. MIXSON: Mr. Chairman, this is Kate Mixson
9 with SACE, CCL, and Upstate Forever. I
10 apologize. I tried to jump in earlier, but I
11 was having some trouble with my microphone. I
12 was wondering if I might be able to ask just a
13 couple of quick questions.

14 CHAIRMAN J. WILLIAMS: Sure. Go right ahead.

15 WITNESS BRUNDAGE: I would be happy to answer
16 anything if I can.

17 MS. MIXSON: Thank you.

18 CROSS-EXAMINATION

19 BY MS. MIXSON:

20 Q Mr. Brundage, are you -- are you able to hear me
21 okay?

22 A I am. Just -- just keep real loud.

23 Q Great. My name is Kate Mixson. I represent the
24 three non-profit environmental organizations, the
25 South Carolina Coastal Conservation League,

1 Southern Alliance for Clean Energy, and Upstate
2 Forever. And I just wanted to ask you a couple of
3 questions.

4 First, are you aware that under Duke's
5 proposal which is before the Commission here, that
6 you can stay on your current rate, that you're
7 grandfathered in --

8 A -- until 2025.

9 Q -- through 2029? Sorry. I'm not -- I don't recall
10 off the top of my head whether it's 2025 or 2029.

11 And then are you aware then at that point you
12 could either elect to change to the rate in the new
13 proposal or elect to stay on your current rate, but
14 with a charge based on your system size?

15 A I'm -- with a charge of what?

16 Q Based on your system size.

17 A Yes. Until 2025. I installed my system in 2016 --
18 well, actually started 2017, the generation. So
19 that's -- you know, that -- that gives me a few
20 more years of benefits, but at this -- the new
21 rates, the benefits are -- you know, they go away.
22 It's -- it's not -- and I'm a numbers person. The
23 -- it does not make fiscal sense -- I would have
24 never signed up for this program that is presented
25 before me today because it does not make fiscal

1 sense for a consumer.

2 Q All right. And so are -- are you aware that --
3 that a variety of solar companies, including solar
4 installers, and conservation groups that represent
5 consumers that are interested in installing solar
6 have supported this Duke proposal because they
7 determined that solar customers would still be able
8 to save money under this proposal?

9 A I -- I heard that, and I'm very surprised by that.
10 Perhaps it was because I got ripped off by Vision
11 Solar, but at their -- at what I put -- the money
12 that I put out does not -- it does -- it is
13 completely incompatible with the -- the proposal.

14 Q Well, I do want to just ask, I guess, to clarify:
15 Are -- are you aware that the proposal doesn't have
16 any solar fees that you would have to pay every
17 month?

18 A Well, yes, they do. Yes. They do. It's a
19 permanent tariff; it's a minimum bill -- minimum
20 monthly bill of \$30. It's 50 -- let's see -- 58
21 cents per kilowatt -- or the -- the voltage, a
22 month. So, yes, there are monthly fees associated
23 with solar, 100 percent, in addition to the net 30
24 billing, which ensures that I will be paying almost
25 my full electric bill November, December, January,

1 and then most of my electric bill other months.

2 Now, the summer months will be good, but I will be
3 buying electricity most months, and I will be
4 paying monthly fees.

5 Q So, ma'am, are -- are you aware that the \$30
6 minimum bill, that that would just -- that's not an
7 additional fee that you pay, that what that means
8 is that solar could only -- your savings from your
9 solar systems could only reduce your bill to that
10 point, but that that \$30 -- that's not an
11 additional fee that you pay? It includes your --
12 your monthly usage from Duke Energy and the basic
13 facilities charge that you pay, so --

14 A Right.

15 Q -- it just means --

16 A But my Duke --

17 Q It just means --

18 A -- Energy charge now --

19 Q -- that you could --

20 A -- is \$11 or \$12.

21 Q -- only reduce your bill to \$30.

22 A And now it will be \$30. So that's kind of a . . .

23 Q Okay. No -- no further questions. Thank you, Ms.

24 Brundage. I appreciate your time.

25 A It's a non-by-passable charge. I mean, I think

1 that's a fee. Call it what you want.

2 CHAIRMAN J. WILLIAMS: Any more questions for
3 this witness?

4 All right. Ma'am, thank you so much for
5 joining us this morning. I hope you enjoy the
6 rest of your day.

7 WITNESS BRUNDAGE: Thank you. You, too.

8 CHAIRMAN J. WILLIAMS: Goodbye.

9 (Witness excused)

10 CHAIRMAN J. WILLIAMS: Please call the next
11 witness.

12 MR. BOCKMAN: Mr. Chairman, that concludes our
13 witness list for this morning. We have no
14 witnesses remaining.

15 CHAIRMAN J. WILLIAMS: All right. Thank you
16 so much. Anything from the parties before we
17 adjourn?

18 MR. COOPER: Mr. Chairman, this is Ashley
19 Cooper on behalf of Duke companies. And, Mr.
20 Chairman, thank you for your patience this
21 morning. Just one last matter. The Duke
22 companies filed a petition yesterday to
23 suggest, if it would save the commissioners
24 time and promote efficiency, that instead of
25 having a live response on Friday, that we

1 could file our responses with the Commission.

2 And I just wanted to -- because we made that

3 filing yesterday afternoon, just wanted to

4 make sure the commissioners and the chairman

5 was aware of that pending motion.

6 CHAIRMAN J. WILLIAMS: I wasn't. I was not.

7 Thank you for bringing it to my attention. We

8 will take that matter up and get back with you

9 as soon as we can.

10 MR. COOPER: Thank you, Mr. Chairman.

11 CHAIRMAN J. WILLIAMS: All right. Thank you.

12 We are adjourned.

13 (WHEREUPON, at 10:43 a.m. the proceedings

14 in the above-entitled matter were

15 adjourned.)

16 (*This transcript may contain quoted

17 material. Such material is reproduced as

18 read or quoted by the speaker.)

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STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK) CERTIFICATE

Be it known that Cindy H. Patterson took the foregoing proceeding and hereby attests:

that I was then and there a notary public in and
for the State of South Carolina-at-large and that by
virtue thereof I was duly authorized to administer an
oath;

that the deponent/witness was first duly sworn to testify to the truth, the whole truth, and nothing but the truth, concerning the matter in the controversy aforesaid;

that the foregoing transcript represents a true, accurate, and complete transcription of the testimony so given at the time and place aforesaid to the best of my skill and ability;

that I am neither a relative nor an employee of any of the parties hereto, nor of any attorney or counsel employed by the parties hereto, nor interested in the outcome of this action;

that, if a recording of an event was supplied by another party for purposes of transcription and I was not present during that event, the foregoing pages were transcribed to the best of my skill and ability; additionally, any identifications of speakers were provided to me by the party supplying the recording;

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In witness thereof, I have hereunto affixed my signature and title.

Cindy H. Patterson

Date: 5/14/2021

Notary public for South Carolina

My commission expires June 30, 2027

*Unless otherwise noted, this notary public administered the oath. Please refer to the transcript for any exceptions.